

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 8/2/17	NEED RESPONSE BY: ASAP
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Merced	
3. PHONE NO.:	7. SUBJECT: Income exclusion-child under 18	
4. REGULATION CITE(S): CFR 273.9(c)(7), 63-502.2(i)& (D)	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  CFR 273.9(c)(7), MPP 63-502.2(h)(2)(i), MPP 63-507(a)(4)(A), ACL 07-31	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

A RC is being completed for a SAP that begins 8/17 thru 1/19. The HH includes a 17 yr old who graduated from high school in 6/17 and is now enrolled at Stanislaus State effective June 2017. He is enrolled in 5 units for the summer and 16 units for the Fall 2017. He does not turn 18 until November 2017. The 17 yr old is employed part time for 10 hrs a week.

Should the earned income of the 17 yr be used toward the Calfresh budget?

When would the County begin using the student's income if the income is not excluded?

10. REQUESTOR'S PROPOSED ANSWER:

Yes, the income of the 17 yr old should be used to the Calfresh budget as he has graduated from High School. Regulations 63-502.2(i) states that income of a student in elementary or secondary school who is attending at least half time and has not turned 19 is to be excluded. It further states if the student become 18 during an application month, the income is excluded in the month of application and counted in the following month(63-507(a)(4)(A); (63-502.2 (1)(D) Example: All earned income of a child under 19 years old is exempt if he/she is a full-time student, or he/she has a school schedule that is equal to at least one-half of a full time curriculum, and he/she is not employed full time.  
The 17 yr olds income would be included in the budget as he is not a full time Elem/HS student.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Yes, the earned income of the 17-year-old should be used in the CalFresh budget as he is not a full-time elementary or high school student [CFR 273.9(c)(7), MPP 63-502.2(h)(2)(i), MPP 63-507(a)(4)(A), ACL 07-31]. If the customer reports a decrease in income without providing verification, the county must inform the client to report this on the next SAR 7 or at recertification, whichever comes first. If the client reports the decrease and submits verification, the county is required to act upon the report.

### FOR CDSS USE

DATE RECEIVED:

08/08/2017

DATE RESPONDED TO COUNTY/ALJ:

08/11/2017sc

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**CALFRESH (CF) PROGRAM**  
**REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

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1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST:	NEED RESPONSE BY:
	6. COUNTY/ORGANIZATION:	
	7. SUBJECT:	
	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	
2. REQUESTOR NAME:		
3. PHONE NO.:		
4. REGULATION CITE(S):		

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#10 Con't

The regulation references being a full time student but this meaning a FT Elem or HS student.

#2 Response:

Student Status & exemptions would be looked at at the next RC since Student Rules are effective when the college student turns 18.